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6 **UNITED STATES DISTRICT COURT**
7 **WESTERN DISTRICT OF WASHINGTON**
8 **AT SEATTLE**

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 JERRY COLIN SOLOMON, JR.,

13 Defendant.

NO. CR06-134-RSL

SUMMARY REPORT OF
U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

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15 An evidentiary hearing on a petition for violation of supervised release was held before
16 the undersigned Magistrate Judge on August 18, 2009. The United States was represented by
17 Assistant United States Attorney Susan B. Dohrmann, and the defendant by Kevin Peck. The
18 proceedings were digitally recorded.

19 The defendant had been charged and convicted of Sexual Assault of a Minor, in
20 violation of 18 U.S.C. §§ 1153 and 2243(a). On or about November 2, 2006, defendant was
21 sentenced by the Honorable Robert S. Lasnik to a term of thirty-three (33) months in custody,
22 to be followed by three (3) years of supervised release.

23 The conditions of supervised release included the requirements that the defendant
24 comply with all local, state, and federal laws, and with the standard conditions. Special
25 conditions imposed included, but were not limited to, registration as a sex offender,
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1 participation in substance abuse treatment programs, and participation in a mental health
2 program.

3 In a Petition for Warrant or Summons, dated October 6, 2008, U.S. Probation Officer
4 Steven R. Gregoryk asserted the following violations by defendant of the conditions of his
5 supervised release:

- 6 (1) Failure to follow the instructions of the probation officer in violation of standard
7 condition No. 3.
- 8 (2) (as amended at the evidentiary hearing on August 18, 2009), Failure to register
9 with the state sex offender registration agency, in violation of the general
10 condition of supervision which states that the defendant shall register with the
11 state sex offender registration agency in the state where the defendant resides,
12 works or is a student as directed by the probation officer.
- 13 (3) Failure to report to the probation officer within 72 hours of release from the
14 custody of the Federal Bureau of Prisons, in violation of the general condition
15 of supervised release.

16 On July 13, 2009, defendant made his initial appearance. The defendant was advised of
17 the allegations and advised of his rights. On August 18, 2009, defendant appeared for an
18 evidentiary hearing on the alleged violations. Defendant admitted to violations 1, 2 (as
19 amended), and 3. The government and defendant also agreed that there would be a joint
20 recommended term of confinement of 10 months at the disposition hearing. Defendant
21 acknowledged his rights and also acknowledged that even though there would be a joint
22 recommended disposition that this was not binding on the Court at time of disposition.

23 I therefore recommend that the Court find the defendant to have violated the terms and
24 conditions of his supervised release as to violations 1, 2 (as amended), and 3, and that the
25 Court conduct a hearing limited to disposition. A disposition hearing on these violations has
26 been set before the Honorable Robert S. Lasnik on August 24, 2009 at 9:00 a.m.

1 Pending a final determination by the Court, the defendant has been detained.

2 DATED this 18th day of August, 2009.

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4 /s/ James P. Donohue
5 JAMES P. DONOHUE
6 United States Magistrate Judge
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8 cc: District Judge: Honorable Robert S. Lasnik
9 AUSA: Ms. Susan B. Dohrmann
10 Defendant's attorney: Mr. Kevin Peck
11 Probation officer: Mr. Steven R. Gregoryk
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